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7 *Representing the United States of America*

8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA

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10 UNITED STATES OF AMERICA,) Case No.: 2:19-mj-138-CWH-1
11 Plaintiff,)
12 vs.) STIPULATION TO CONTINUE
13 JORGE ARMANDO GOMEZ-VARGAS,) PRELIMINARY HEARING
14 Defendant.) (Third Request)

16 IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A.
17 Trutanich, United States Attorney, and Linda Mott, Assistant United States Attorney,
18 counsel for the United States of America, and Rene L. Valladares, Federal Public Defender,
19 and Nisha Brooks-Whittington, Assistant Federal Public Defender, counsel for defendant
20 JORGE ARMANDO GOMEZ-VARGAS, that the preliminary hearing in the above-
21 captioned matter, currently scheduled for May 13, 2019, at the hour of 4:00 p.m., be vacated
22 and continued for forty-five (45) days or to a date and time convenient to the Court.

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This stipulation is entered into for the following reasons:

1. The parties are resolving this matter prior to indictment.
2. Defendant is in custody.
3. Denial of this request for continuance of the preliminary hearing would prejudice both the defendant and the Government and unnecessarily consume this Court's valuable resources, taking into account the exercise of due diligence.
4. Additionally, denial of this request for continuance could result in a miscarriage of justice.

5. The additional time requested by this stipulation, is excludable in computing the time within which the defendant must be indicted and the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(b) and § 3161(h)(8)(A), considering the factors under 18 U.S.C. § 3161(h)(8)(B)(I) and (iv).

DATED this 10th day of May, 2019.

Respectfully submitted,

NICHOLAS A. TRUTANICH
United States Attorney

/s/ Nisha Brooks-Whittington
NISHA BROOKS-WHITTINGTON
Counsel for defendant
JORGE ARMANDO GOMEZ-VARGAS

/s/ Linda Mott
LINDA MOTT
Assistant United States Attorney

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Based on the pending stipulation of counsel, and good cause appearing therefore, the court hereby finds that:

IT IS HEREBY ORDERED that the preliminary hearing in the above-captioned matter currently scheduled for May 13, 2019, at the hour of 4:00 p.m., be vacated and continued to July 1, 2019, at the hour of 4:00 p.m.

DATED this 13 day of May, 2019

UNITED STATES MAGISTRATE JUDGE